

Amendment No.

COUNCIL/COMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>    </u>	

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1 Council/Committee hearing bill: Military & Local Affairs Policy  
2 Committee

3 Military & Local Affairs Policy Committee offered the following:  
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5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Subsection (1) of section 125.35, Florida  
8 Statutes, is amended to read:

9 125.35 County authorized to sell real and personal  
10 property and to lease real property.-

11 (1) (a) The board of county commissioners may ~~is expressly~~  
12 ~~authorized to~~ sell and convey any real or personal property, and  
13 to lease real property, belonging to the county, whenever the  
14 board determines that it is to the best interest of the county  
15 to do so, to the highest and best bidder for the particular use  
16 the board deems to be the highest and best, for such length of  
17 term and such conditions as the governing body may in its  
18 discretion determine.

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19 (b) Notwithstanding ~~the provisions of~~ paragraph (a), the  
20 board of county commissioners is expressly authorized to:

21 1. Negotiate the lease of an airport or seaport facility;

22 2. Negotiate the lease of county property, other than an  
23 airport or seaport facility, for a term not to exceed 5 years;

24 3.2. Modify or extend an existing lease of real property  
25 for an additional term not to exceed 25 years, where the  
26 improved value of the lease has an appraised value in excess of  
27 \$20 million; or

28 4.3. Lease a professional sports franchise facility  
29 financed by revenues received pursuant to s. 125.0104 or s.  
30 212.20;

31  
32 under such terms and conditions as negotiated by the board.

33 (c) A ~~No~~ sale of any real property may not ~~shall~~ be made  
34 unless notice thereof is published once a week for at least 2  
35 weeks in some newspaper of general circulation published in the  
36 county, calling for bids for the purchase of the real estate so  
37 advertised to be sold. In the case of a sale, the bid of the  
38 highest bidder complying with the terms and conditions set forth  
39 in such notice shall be accepted, unless the board of county  
40 commissioners rejects all bids because they are too low. The  
41 board of county commissioners may require a deposit to be made  
42 or a surety bond to be given, in such form or in such amount as  
43 the board determines, with each bid submitted.

44 Section 2. Subsection (3) of section 337.29, Florida  
45 Statutes, is amended to read:

46 337.29 Vesting of title to roads; liability for torts.-

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47 (3) Title to all roads transferred in accordance with the  
48 provisions of s. 335.0415 shall be in the governmental entity to  
49 which such roads have been transferred, upon the recording of a  
50 deed or a right-of-way map by the appropriate governmental  
51 entity in the public land records of the county or counties in  
52 which such rights-of-way are located. To the extent that  
53 sovereign immunity has been waived, liability for torts shall be  
54 in the governmental entity having operation and maintenance  
55 responsibility as provided in s. 335.0415. Except as otherwise  
56 provided by law, a municipality shall have the same  
57 governmental, corporate, and proprietary powers with relation to  
58 any public road or right-of-way within the municipality which  
59 has been transferred to another governmental entity pursuant to  
60 s. 335.0415 that the municipality has with relation to other  
61 public roads and rights-of-way within the municipality.

62 Section 3. This act shall take effect July 1, 2010.  
63  
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66 **T I T L E A M E N D M E N T**

67 Remove the entire title and insert:

68 An act relating to local government; amending s. 125.35,  
69 F.S.; authorizing a board of county commissioners to  
70 negotiate the lease of certain county property for a  
71 limited period; amending s. 337.29, F.S.; authorizing  
72 transfers of right-of-way between local governments by  
73 deed; providing an effective date.